

Dkt. 64977/JPW/PT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hiroe Takashima
Serial No.: 09/351,070 Examiner: Not Yet Known
Filed : May 8, 2001 Group Art Unit: 1761
For : SPONGE CAKE PREMIX AND METHOD OF MANUFACTURING
SPONGE CAKE BY USING SAID PREMIX

1185 Avenue of the Americas
New York, New York 10036
March 25, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

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TC 1700

Sir:

INFORMATION DISCLOSURE STATEMENT

In order to ensure compliance with applicant's duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), applicant hereby submits this Information Disclosure Statement.

Applicant directs the Examiner's attention to the following references which are listed on Form PTO-1449 attached hereto as **Exhibit A** and were cited in a search report dated February 20, 2002 in connection with a corresponding German patent application. Copies of the references are attached hereto as **Exhibits 1-5**, respectively.

1. U.S. Patent No. 4,847,100 issued July 11, 1989 to Kanafani et al. (**Exhibit 1**);
2. U.S. Patent No. 4,929,465 issued May 29, 1990 to Kanafani et al. (**Exhibit 2**);
3. U.S. Patent No. 5,049,398 issued September 17, 1991 to Saari et al. (**Exhibit 3**);

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4. European Patent Application Publication No. 0 505 477 B1
(Corbin et al.) published September 30, 1992 (**Exhibit 4**);
and

5. Japanese Patent Abstract No. 11113478 A (**Exhibit 5**).

Applicant also submits herewith as **Exhibit B** copies of the February 20, 2002 search report, and English-language translation thereof, in connection with counterpart German Patent Application No. 101 21 857.5.

A first Office Action has not been received in connection with the subject application. Accordingly, pursuant to 37 C.F.R. §1.97(b)(3), applicant believes that the present Information Disclosure Statement is timely filed and no fee or certification is due or required.

However, in the event that a first Office Action has been mailed but has not yet been received by applicant or connected with the application file in the undersigned attorney's office, applicant hereby request consideration of this Information Disclosure Statement, pursuant to 37 C.F.R. §1.97(c)(1). Applicant certifies, pursuant to 37 C.F.R. §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. The date of mailing of the German Search Report is February 20, 2002, and therefore this Information Disclosure Statement is timely filed, pursuant to 37 C.F.R. §1.97(c)(1).

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Further, pursuant to 37 C.F.R. §1.704(c), Applicant states that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. According to information received by the undersigned attorney from applicant's Japanese patent attorneys who provide instructions concerning prosecution of this application to the undersigned, the February 20, 2002 communication was received by them on March 11, 2002.

If a telephone conference would be of assistance in advancing the prosecution of the subject application, applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

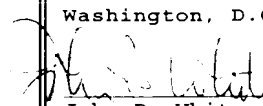
No fee is believed to be due in connection with the filing of this Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.



John P. White
Reg. No. 28,678

8/25/02
Date